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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,034	12/19/2001	Sharon A. Krueger	A0653Q-US-NP	9510
37211	7590	11/16/2006	EXAMINER	
BASCH & NICKERSON LLP 1777 PENFIELD ROAD PENFIELD, NY 14526			BURLESON, MICHAEL L	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/021,034

Applicant(s)

KRUEGER ET AL

Examiner

Michael Burleson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 60/258,077.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/20/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 07/05/2006 have been fully considered but they are not persuasive.
2. In Applicant's remarks, Applicant states that the reference of Lapstun et al. fails to teach the capability of rendering color processing options and/or color space transformation profiles on a page-by-page basis (remarks page 8-9). Examiner disagrees with Applicant. Lapstun et al. teaches of rendering each page of a print job (page 3, paragraph 0089 and page 5, paragraph 0110). Lapstun et al also teaches of color management support and color profiles of a device. The printer driver can activate different color profile (page 37, paragraph 0620). This would support the capability of rendering color processing options and/or color space transformation profiles on a page-by-page basis. Claims 1-4, 7-13, 16 and 17 are rejected.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5,7-11 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Lapstun et al. US 2004/0046971.

3. Regarding claim 1, Lapstun et al. teaches a method for applying individualized rendering parameters on a single page basis to enable rendering of image data associated with a job having a plurality of pages (page 3, paragraph 0089), comprising:

4. (a) providing a plurality of color space transformation profiles (page 35,paragraph 05814 and page 37,paragraph 0619 and 0620);

5. (b) assigning a first set of color processing options to a first group of pages in the job (page 21,paragraph 0352, page 35,paragraph 05814 and page 37,paragraph 0620);

6. (c) assigning a second set of color processing options to a second group of pages in the job, the second set of color processing options identifying a color space transformation profile (page 21,paragraph 0352, page 35,paragraph 05814 and page 37,paragraph 0620);

7. (d) receiving a page of image data to be rendered (page 3, paragraph 0089);

8. (e) determining if the page of image data to be rendered is associated with the first group of pages in the job or associated with the second group of pages in the job (page 21, paragraph 0357 and 0358);

9. (f) selecting a color space transformation profile for the received page of image data when it has been determined that the page of image data to be rendered is associated with the first group of pages in the job (page 21,paragraph 0352, page 35,paragraph 0581 and page 37,paragraph 0620);

10. (g) selecting the color space transformation profile in the second set of color processing options when it has been determined that the page of image data to be rendered is associated with the second group of pages in the job (page 21, paragraph 0352 and 0357, page 35, paragraph 05814 and page 37, paragraph 0620); and
11. (h) applying the selected color space transformation profile to render the page of image data (page 21 paragraph 0352-0358 and page 37, paragraph 0620).
12. Regarding claim 2, Lapstun et al. teaches step (i) rendering image data on a xerographic printing device using the selected color space transformation profile (page 3, paragraph 0084).
13. Regarding claim 3, Lapstun et al. teaches the first group of pages in the job represents pages associated with a front side of a media and the second group of pages in the job represents pages associated with a back side of the media, the second set of color processing options identifies a color space transformation profile to use with the back side of a the media, and the color space transformation profile selected for the pages of the first group identifies a color space transformation profile to use with the front side of the media (page 21, paragraph 0352 and 0357, page 35, paragraph 05814 and page 37, paragraph 0620).
14. Regarding claim 4, Lapstun et al. teaches identifying a media side onto which the image data will be rendered; the color space transformation profile being selected based upon the group association of the page of image data to be rendered and the identified media side of the page of image data to be rendered (page 21, paragraph 0352 and 0357, page 35, paragraph 05814 and page 37, paragraph 0620).

15. Regarding claim 5, Lapstun et al. teaches the second set of color processing options further identifies at least one color space adjustment attribute (page 37, paragraph 0620).
16. Regarding claim 7, Claim 7 arguments are analogous to those presented for claim 1 therefore the arguments presented for claim 1 are applicable.
17. Regarding claim 8, Claim 8 arguments are analogous to those presented for claim 2 therefore the arguments presented for claim 2 are applicable.
18. Regarding claim 9, Claim 9 arguments are analogous to those presented for claim 1 therefore the arguments presented for claim 1 are applicable.
19. Regarding claim 10, Claim 10 arguments are analogous to those presented for claim 3 therefore the arguments presented for claim 3 are applicable.
20. Regarding claim 11, Claim 11 arguments are analogous to those presented for claim 4 therefore the arguments presented for claim 4 are applicable.
21. Regarding claim 14, Claim 14 arguments are analogous to those presented for claim 5 therefore the arguments presented for claim 5 are applicable.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claims 6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lapstun et al. US 2004/0046971 in view of Balonon-Rosen et al. (hereinafter referred to as Balonon-Rosen) (U.S. Patent 6,307,961)

23. With respect to claim 6, Lapstun et al. teaches all of the limitations of claims 1 and 5, Lapstun et al. does not disclose that the color space adjustment attribute includes at least one color attribute selected from lightness, contrast, color cast, and saturation.

24. Balonon-Rosen discloses that the color space adjustment attribute may include at least one color attribute selected from lightness, contrast, color cast, and saturation (column 2 lines 13-41).

25. Therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have modified Lapstun et al. as modified wherein the second set of color processing options further identifies one color space adjustment attribute and the color space adjustment attribute includes at least one color attribute selected from lightness, contrast, color cast, and saturation. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify Lapstun et al. as modified by the teaching of Balonon-Rosen so that Lapstun et al.'s invention would maintain color appearance between devices (given the express suggestion of Balonon-Rosen column 1 lines 61-63).

26. Regarding claim 15, Claim 15 arguments are analogous to those presented for claim 6 therefore the arguments presented for claim 6 are applicable.

27. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

28. Claims 12,13,16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over of Lapstun et al. (hereinafter referred to as Lapstun) (U.S. Patent Application Publication 2004/0046971) in view Billow 2005/0141008

29. Lapstun et al. teaches all of the limitations of claims 9 and 10. Lapstun et al. does not provide the color space transformation profile identified in the second set of color processing options identifies a destination profile.

30. With respect to claim 12, Billow discloses the color space transformation profile identified in the second set of color processing options identifies a destination profile (paragraph 0036 lines 12-13).

31. Therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have modified Lapstun et al. wherein Lapstun et al.'s method is applied to individualized rendering parameters on a single page basis to enable rendering of image data associated with a job having a plurality of pages. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify Lapstun et al. by the teaching of Billow in order to determine where the rendered page will be outputted.

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32. With respect to claim 13, Billow as modified discloses the step of applying the retrieved color space transformation profile to render the second page of image overrides a destination transformation profile within the second page of image data (paragraph 0036 lines 12-20).

33. With respect to claim 16, Billow as modified discloses the color space transformation profile identified in the second set of color processing options identifies a source profile (paragraph 0036 lines 12-15).

34. With respect to claim 17, Billow as modified discloses the step of applying the retrieved color space transformation profile to render the second page of image overrides a source transformation profile within the second page of image data (paragraph 0036 lines 12-20).

Conclusion

35. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Burleson whose telephone number is 571-272-7460. The examiner can normally be reached Monday through Friday from 8:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

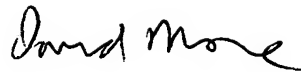
Michael Burleson
Patent Examiner

Handwritten signature of Michael Burleson, consisting of stylized initials 'MB'.

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A handwritten signature in black ink, appearing to read "David Moore". The signature is fluid and cursive, with the first name "David" and last name "Moore" clearly distinguishable.

DAVID MOORE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600